

Application No. 10/647,657
Filed: August 25, 2003
TC Art Unit: 3731
Confirmation No.: 2131

REMARKS

Applicants are preparing to file a terminal disclaimer to obviate the double patenting rejection.

Claims 1-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Meshalkin in view of Phillips, Ovil and Goldberg.

Applicants respectfully traverse the rejection of the claims. The present invention relates to the use of a visual indicator associated with the strands of a suture system in which two strands that are attached to the same needle can be visually distinguished from each other.

Neither Ovil or Phillips suggest the recited solution to this problem. Ovil does not use the threads themselves, but rather employs dots on a separate structure. This does not address the problem the present invention is meant to solve. When a double stranded suture is employed there are two strands that follow a needle through the same hole in the tissue. Because the two strands are positioned in the same hole they can not be distinguished from each other. Ovil does not provide a solution to this problem. Neither does Philips, as the sutures are spatially separated and this does not address same problem.

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The independent claims have been further amended to clarify this feature.

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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